IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 19006 of 2005

Between:

Kota Ganga Raju

..... PETITIONER

AND

The Eastern Power Distribution Corporation of AP Ltd.,

represented by its Superintendent Engineer (Operation)
Eluru, West Godavari District and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not releasing the agricultural electrical service connection to the petitioner as per the sanction orders issued by the 2nd respondent dated 24.06.2004, the present writ petition is filed.

It is stated that the petitioner is an agriculturist and he applied to the respondents for agricultural electrical service connection under Tatkal Scheme as announced by A.P.Transco and the 2nd respondent through his letter dated 24.06.2004 directed the petitioner to pay estimated charges for release of electricity connection, and the petitioner sent a demand draft for Rs.24,880/- to the 4th respondent in the month of May,2005, but the respondents have not released the electrical service connection on the pretext that there was ban.

Heard the learned counsel on either side.

The learned counsel for the petitioner contended that as per the estimates given by the respondent Corporation, the petitioner has furnished a demand draft for Rs.24,880/- on 13.05.2005, but still the respondent Corporation has not released the electrical service connection to the petitioner.

On the other hand, the learned counsel for the respondents contended that as there was ban imposed by the Government, the question of releasing agricultural electrical service connection to the petitioner does not arise.

It is not in dispute that as per the proceedings of the

2nd respondent dated 24.06.2004, the cost of execution of work was estimated and the petitioner was directed to pay Rs.24,880/-, and accordingly, the petitioner deposited Rs.24,880/- by way of demand draft dated 13.05.2005. Having received the said amount as estimated by the 2nd respondent, it is for the respondents to release the agricultural electrical service connection to the petitioner. If there is a ban, the respondents ought not to have estimated the execution of work and directed the petitioner to pay the amount.

In these circumstances, since the amount has already been deposited by the petitioner as directed by the 2nd respondent, long prior to the ban imposed by the Government, it is desirable to direct the respondents to give agricultural electrical service connection to the petitioner as per the sanction orders issued by the 2nd respondent, dated 24.06.2004, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is allowed. No order as to costs.

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K.C. BHANU,J

Dated: 29.08.2005

Dsr